

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4142-01  
Bill No.: HB 1544  
Subject: Ambulances and Ambulance Districts; Emergencies  
Type: Original  
Date: February 12, 2002

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**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 7 pages.

**FISCAL ANALYSIS**

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## ASSUMPTION

Officials from the **Office of Prosecution Services** stated costs associated with the proposed legislation can be absorbed within existing resources.

Officials from the **Office of Administration (COA) - Administrative Hearing Commission, COA - Division of Facilities Management, COA - Division of Budget and Planning, Department of Public Safety - Division of Fire Safety, Office of State Courts Administrator, Department of Economic Development, Maryland Heights Fire Protection District, Creve Coeur Fire Protection District, Department of Insurance, and Department of Revenue** assume the proposed legislation will not fiscally impact their organization.

Officials from the **Department of Social Services - Division of Medical Services (DMS)** provided the following assumptions:

### **Ambulance and Stretcher Vans**

The DMS does not anticipate a material fiscal impact from this legislation assuming that the Department of Health and Senior Services will continue to use the same standard of staffing levels of expertise that they require today. The NEMT program uses stretcher vans to transport Medicaid recipients when appropriate. The NEMT program is administered by a broker. The current contract with the broker is for one year with three optional one year renewals.

### **Aging In Place Program**

The DMS assumes no fiscal impact to the change in Section 198.531 regarding Aging In Place developments to be licensed by the Division of Aging.

### **Reimbursement Rate for Nursing Care Services**

The DMS assumes no fiscal impact as a result of the change in Section 208.169. Section 208.169 subsection 1(3)(a) is proposed to be changed from “the costs as determined in section 197.357, RSMo” to “ten percent of the initial project estimate”. However, according to Section 208.169 subsection 2, this provision was only in effect until July 1, 1989. Since the provision is no longer in effect, the capital cost component is not currently being calculated using the methodology set forth in this statute.

## ASSUMPTION (continued)

Officials from the **Office of the Secretary of State (SOS)** stated this bill changes requirements and regulations for emergency services and personnel. The Department of Health and Senior Services will promulgate rules to implement this bill. Based on experience with other divisions,

the rules, regulations and forms issued by the Department of Health and Senior Services could require as many as 56 pages in the *Code of State Regulations*. For any given rule, roughly one-half again as many pages are published in the *Missouri Register* as are published in the Code because cost statements, fiscal notes and notices are not published in the Code. The estimated cost of a page in the *Missouri Register* is \$23.00. The estimated cost of a page in the *Code of State Regulations* is \$27.00. The actual costs could be more or less than the numbers given. The fiscal impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn. The SOS estimates the cost of this legislation to be \$ 3,444 [( 56 pp x \$27) + ( 84 pp x \$23)].

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Health and Senior Services (DOH)** stated this legislation would not be expected to significantly impact the operations of the DOH. If the proposal were to substantially impact the DOH programs, then the DOH would request funding through the legislative process.

Officials from the **Office of Attorney General, Cass County Clerk's Office, Bates County Clerk's Office, Henry County Clerk's Office, Johnson County Clerk's Office, St. Clair County Clerk's Office, St. Louis County Clerk's Office, Mid-MO Ambulance District, Osage County Ambulance District, Callaway County Ambulance District, St. Charles County Ambulance District, St. Charles County Fire Protection District, Mehlville Fire Protection District, Chesterfield Fire Protection District, LeMay Fire Protection District, Metro West Fire Protection District, and West County EMS** did not respond to our request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

#### FISCAL IMPACT - Small Business

The proposed legislation may have a negative fiscal impact to small stretcher van businesses because they will be required to have a two-staff person crew. The net effect is unknown.

#### DESCRIPTION

This bill makes changes to laws governing ambulance services, stretcher van services, and fire protection.

**AMBULANCE SERVICES** The bill: (1) Changes the residency requirements for candidates for directors of ambulance districts; (2) Allows ambulance boards to increase to seven members or decrease to five or three members upon voter approval; (3) Allows for the recall by petition of an ambulance board member. If a board member is recalled, the election authority must order an election for a new member at the next scheduled public election; (4) Changes requirements for the use of an automated external defibrillator; (5) Removes the requirement that Cass, Bates, Henry, Johnson, and St. Clair counties have a mobile emergency medical technician in the ambulance when transporting a patient; (6) Requires most ground ambulances to have at least two licensed individuals when transporting a patient; (7) Requires the owner, upon the sale or transfer of an ambulance service, to notify the Department of Health of the change within 30 days. The department is required to inspect the service to verify compliance with licensure standards; (8) Changes requirements for the county letter of endorsement to the department for new ambulance service within unincorporated portions of a county. The letter must state the public health benefits of the service and show that the service has the expertise and resources to operate the service; (9) Allows a temporary ambulance service license to be granted to the Firefighter's Association of Missouri for operation at the Missouri State Fair; (10) Requires all ambulance services, including services in St. Louis City, to maintain adequate insurance coverage or proof of financial responsibility with adequate reserves maintained. Provisions for the self-insurance of St. Louis City ambulance services are removed; (11) Expands causes for which a complaint may be filed with the Administrative Hearing Commission against an ambulance service; (12) Forbids relicensure of any individual whose license has been revoked twice within a 10-year period; (13) Requires the department to submit a copy of certain licensee settlement agreements to the Administrative Hearing Commission; (14) Requires a patient care report to be completed for each run on which are entered pertinent remarks by a registered nurse or physician. A patient care report is also required to be given by a health care facility when a patient is transferred to another facility; (15) Requires ambulance services to report to the department within 72 hours of their having knowledge of certain felony charges filed against an employee of the licensee. The employee of a service is also required to notify the service of these charges within 72 hours; and (16) Requires any investigation into violation of ambulance laws to be completed within six months. The department is given access to all records related to the investigation.

#### DESCRIPTION (continued)

**STRETCHER VAN SERVICE** The bill also contains provisions related to the regulation of stretcher van services. A stretcher van service provides transportation to passengers who are confined to stretchers and whose conditions are not likely to need medical attention during transportation. The bill: (1) Requires any person, owner, or agent to be licensed by the Department of Health if the person or entity advertises, operates, maintains, engages, or proposes

to engage in the transport of persons confined to stretchers. The department can issue these licenses for a period of five years; (2) Allows political subdivisions that are authorized to provide ambulance service to adopt ordinances and regulations governing the use of stretcher vans as long as those regulations are as strict as the minimum state standards. Ordinances and regulations in effect prior to August 28, 2002, may continue to be enforced by any political subdivision; (3) Allows the governing body in St. Louis County to set standards for all stretcher van services. Any service in the county must be licensed by the state. The county may not prohibit a licensed service from operating in the county as long as the service meets county standards; (4) Requires stretcher vans to operate with a two-person crew; (5) Requires stretcher van operators to immediately contact the appropriate ground ambulance service if a passenger's medical condition deteriorates; (6) Prohibits services from transporting persons currently admitted to a hospital or persons being transported to a hospital for admission or emergency treatment; (7) Requires the department to establish regulations requiring adequate insurance, vehicle maintenance and specifications, passenger safety, and service records and reports; (8) Requires the department to establish the application forms for stretcher van service licenses in order to ensure compliance with rules; (9) Requires services to notify the department upon the sale or transfer of any service ownership. The department must inspect the new service to verify compliance with licensure standards; (10) Allows the department to refuse to issue or deny renewal of a stretcher van license for failure to comply with the law or any regulation promulgated by the department. Guidelines for disciplinary action and relicensure are established. The department may cause a complaint to be filed with the Administrative Hearing Commission against a licensee for noncompliance with regulations. Procedures are established for the notification of the applicant that a license has been refused and for the applicant to file a complaint with the Administrative Hearing Commission. An individual whose license has been revoked must wait one year to apply for relicensure. The department may notify any other state in which a person is licensed of a suspended or revoked license in this state; (11) Protects any person or organization from civil damage when in good faith the person provides information to the department regarding stretcher van regulations; (12) Allows the department to suspend a license if it finds that there is an imminent threat to public health. The department must file a complaint with the Administrative Hearing Commission upon the suspension. Procedures are established for the suspension and appeal of suspension; and (13) Gives the Attorney General concurrent jurisdiction with all prosecuting attorneys to prosecute persons in violation of these laws and regulations. Injunctive proceedings may be instituted against persons in violation. Persons violating these laws are guilty of a class B misdemeanor. Each day that any violation continues constitutes a separate offense, but the court may stay the cumulative penalties.

#### DESCRIPTION (continued)

**FIRE PROTECTION** The bill allows persons 24 years of age to serve on fire protection boards. Under current law, persons must be 25 years of age to serve on the board. Fire protection board members in counties of the first classification with a charter form of government are authorized to receive an additional fee of up to \$100 for attending board meetings. A member may not receive the additional fee for more than four board meetings in any calendar month. The bill adds

additional requirements for the petition to recall a fire board member.

OTHER The bill also removes Certificate of Need requirements from the Aging-in-Place Program. Changes are made to the reimbursement rate for nursing care services.

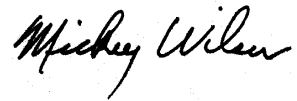
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

#### SOURCES OF INFORMATION

Office of Prosecution Services  
Office of Administration  
    - Administrative Hearing Commission  
    - Division of Facilities Management  
    - Division of Budget and Planning  
Office of the Secretary of State  
Department of Revenue  
Department of Public Safety - Division of Fire Safety  
Maryland Heights Fire Protection District  
Department of Insurance  
Office of State Courts Administrator  
Department of Health and Senior Services  
Creve Coeur Fire Protection District  
Department of Social Services  
Department of Economic Development

#### SOURCES OF INFORMATION (continued)

**NOT RESPONDING: Cass County Clerk's Office, Bates County Clerk's Office, Henry County Clerk's Office, Johnson County Clerk's Office, St. Clair County Clerk's Office, St. Louis County Clerk's Office, Mid-MO Ambulance District, Osage County Ambulance District, Callaway County Ambulance District, St. Charles County Ambulance District, St. Charles County Fire Protection District, Mehlville Fire Protection District, Chesterfield Fire Protection District, LeMay Fire Protection District, Metro West Fire Protection District, and West County EMS**

A handwritten signature in black ink, reading "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Acting Director  
February 12, 2002